

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

R.R. STREET & CO. INC. and	§	
NATIONAL UNION FIRE INSURANCE	§	
COMPANY OF PITTSBURGH, PA, as	§	
subrogee of R.R. Street & Co. Inc.	§	
Plaintiffs,	§	
	§	Case No. 1:08-CV-01182
v.	§	Judge: Hon. Virginia M. Kendall
	§	(Jury Requested)
VULCAN MATERIALS COMPANY, n/k/a	§	
LEGACY VULCAN CORP.,	§	
Defendant.	§	
	§	

NOTICE OF MOTION

TO: Richard C. Godfrey, P.C.	Bryan G. Schumann
Matthew T. Regan, P.C.	Bollinger Ruberry & Garvey
Kirkland & Ellis LLP	500 West Madison Street
200 East Randolph Drive	Suite 2300
Chicago, Illinois 60601	Chicago, Illinois 60661

On Thursday, July 17, 2008, at 9:00 a.m., or as soon thereafter as counsel may be heard, I, or someone acting on my behalf, shall appear before the Honorable Virginia M. Kendall or any Judge sitting in her stead, in Courtroom 2319 of the Everett McKinley Dirksen United States Courthouse, 219 South Dearborn Street, Chicago, Illinois, 60604, and there and then present R.R. Street & Co. Inc.'s Motion for Leave to File Surreply in Response to Legacy Vulcan Corp.'s Motion to Dismiss or, in the Alternative, Stay Plaintiffs' Amended Complaint, a copy of which has previously been filed (Docket No. 33) and served upon you.

Dated: July 14, 2008.

Respectfully submitted,

HICKS, THOMAS & LILIENSTERN, LLP

/s/ John B. Thomas

John B. Thomas
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**ATTORNEYS FOR PLAINTIFF,
R.R. STREET & CO. INC.**

PROOF OF SERVICE BY E-MAIL AND U.S. MAIL

The undersigned, an attorney, states and certifies that a true and correct copy of the aforementioned document was served upon the above parties electronically via the U.S. District Court's ECF system on July 14, 2008, and by mailing a copy to the above addresses on July 14, 2008, with proper postage prepaid.

/s/ John B. Thomas